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<b>IN THE UNITED STATES BANKRUPTCY COURT DISTRICT OF UTAH</b>	
<b>IN RE:</b>  <b>LINDA K. KOELBEL</b>  Debtor	Bankruptcy Case #07-23598 Chapter 13  Filed Electronically
<b>DEBTOR'S MOTION TO AMEND CONFIRMED PLAN AND MOTION FOR HARDSHIP DISCHARGE</b>	

Linda Koelbel, Debtor herein, moves this Court to amend her current chapter 13 plan and moves for a "hardship" discharge, and would show the court the following:


1. Debtor filed a voluntary petition for relief under chapter 13 of the Bankruptcy Code on August 6, 2007.
2. The plan was confirmed by order on December 5, 2007 for Debtor to pay \$81.80 per month as well as contribute her tax refunds for a minimum of three years.
3. Debtor's financial situation has worsened since filing the current chapter 13 bankruptcy.
4. She is currently unable to make the chapter 13 plan payment, although there is only \$655 in payments left to complete the plan (per a recent payoff request to the Chapter 13 Trustee).
5. Her employment hours have been cut over the past year to only 10 to 12 hours per week and she has been unable to secure additional employment. She is

currently receiving Community Action assistance to cover her monthly rental expenses.

6. Debtor requests that the Court amend her current plan to provide no additional payments to unsecured creditors and permit her to retain her 2009 tax refunds, if any.
7. Debtor further requests the Court enter a hardship discharge pursuant to 11 U.S.C. §1328(b)(1) and argues that her current financial and housing situation are due to circumstances for which she cannot be held accountable.

**WHEREFORE**, Debtor respectfully requests that this Court amend her Chapter 13 Plan to provide no additional payments from January 25<sup>th</sup> forward, to permit Debtor to retain her 2009 tax refunds, and to enter a discharge pursuant to 11 U.S.C. §1328(b)(1).

DATED: This 19th Day of January, 2010.

  
/s/ Robert S. Payne  
LINCOLN LAW CENTER, LLC  
Attorney for Debtor